

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CBS CORPORATION, formerly known as
VIACOM, INC.,

Plaintiff,

v.

EATON CORPORATION,

Defendant.

Civil Action No. 07-CV-11344 (LBS)

**STIPULATION TO AMEND
SCHEDULING ORDER**

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AND NOW, come the parties, CBS Corporation and Eaton Corporation, by and through their respective undersigned counsel, and submit the within Stipulation to Amend the existing Scheduling Order:

1. On March 12, 2008, this Court approved and signed the Rule 26 Joint Status Report that the parties submitted in accordance with the Federal Rules of Civil Procedure.
2. Since March 12, the parties, in good faith, have proceeded in accordance with that approved Report/Order.
3. Further, the parties, to date, have not requested any modifications to, or extensions of, the existing Report/Order.
4. At this juncture, however, the parties, due to their need to conduct additional discovery in this case, have stipulated to a revised Scheduling Order, the approval of which they currently seek from this Court.
5. The parties have agreed to revise certain pretrial dates related to discovery and motions practice, as set forth below. The proposed dates, for all intents and purposes, represent a sixty (60) day extension.

Conclusion of Fact Discovery

Existing Date: June 30, 2008

Proposed Date: **August 29, 2008**

Conclusion of Expert Discovery

Existing Date: August 29, 2008

Proposed Date: **October 28, 2008**

Plaintiff's Identification of Expert(s) and Production of Report(s)

Existing Date: July 1, 2008

Proposed Date: **September 1, 2008**

Defendant's Identification of Expert(s) and Production of Report(s)

Existing Date: July 16, 2008

Proposed Date: **September 15, 2008**

Filing of Dispositive Motions

Existing Date: September 30, 2008

Proposed Date: **December 1, 2008**

Filing of Responses to Dispositive Motions

Existing Date: October 21, 2008

Proposed Date: **December 22, 2008**

6. The parties submit this revised Scheduling Order in good faith and will endeavor to satisfy the newly imposed deadlines; to the extent that the newly imposed deadlines become problematic, the parties will notify this Court, promptly, through the use of a similar filing.

WHEREFORE, the parties, CBS Corporation and Eaton Corporation, stipulate to the above revised Scheduling Order and respectfully request that this Honorable Court approve the same.

Respectfully submitted,

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United States District Judge